

IN UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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IN RE: BEXTRA AND CELEBREX  
MARKETING AND SALES PRACTICES  
AND PRODUCT LIABILITY LITIGATION

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SHIRLEY BERRY, et al.

Plaintiff,

v.

PFIZER, INC., et al.,

Defendants.

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CASE NO. 3:06-cv-02682-CRB

MDL NO. 1699

JUDGE CHARLES R. BREYER

**STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE  
AND WITHOUT COSTS AS TO CASE  
NUMBER 06-02682 CRB, ORIGINALLY  
FILED IN THE US DISTRICT COURT,  
EASTERN DISTRICT OF LOUISIANA**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff and counsel for Defendants that the Complaint of Plaintiff SHIRLEY BERRY originally filed in the US District Court, Eastern District of Louisiana, Case Number 2:05-cv-04445-EEF-DEK, and then later transferred to the MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales Practices and Product Liability Litigation*, may be and is hereby dismissed without prejudice.

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1- STIPULATION AND ORDER OF DISMISSAL

BOWERSOX LAW FIRM, P.C.  
620 SW Fifth Avenue  
Suite 1125  
Portland, OR 97204

The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim, Plaintiff will only re-file in Federal Court. The parties shall each bear their own costs.

Respectfully submitted:

Dated: 10/19/06

By:

Shirley Berry  
Shirley Berry

Dated: 10-19-2006

By:

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Dated: 10-24-06

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: October 27, 2006

Honorable Charles Breyer  
United States District Court

